

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-70-210

Modification of the Operative and Effective Dates Relating to the Finding that
EVR Phase II Vapor Recovery Systems and In-Station Diagnostics Are
Not Certified for Use with Gasoline Dispensing Facilities at which the
Underground Gasoline Storage Systems Serve as Bulk Plants
(*Gasoline Dispensing Facilities at Bulk Plants*)

WHEREAS, the California Air Resources Board (ARB) has established, pursuant to California Health and Safety Code sections 25290.1.2, 39600, 39601 and 41954, certification procedures for systems designed for the control of gasoline vapor emissions during motor vehicle fueling operations (Phase II EVR vapor recovery systems) in its CP-201, ***Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities*** (Certification Procedure) as last amended May 25, 2006, incorporated by reference in title 17, California Code of Regulations, section 94011;

WHEREAS, ARB has established, pursuant to California Health and Safety Code sections 39600, 39601, 39607, and 41954, certification procedures for systems designed for the control of gasoline vapor emissions during the transfer of fuel between bulk plants and cargo tanks in its CP-202, ***Certification Procedure for Vapor Recovery Systems of Bulk Plants*** as last amended March 17, 1999, incorporated by reference in title 17, California Code of Regulations, section 94012;

WHEREAS, ARB has determined, after consulting with industry and local Air Quality Management Districts, that there are a number of *Gasoline Dispensing Facilities at Bulk Plants* as those terms are defined in D-200 ***Definitions for Vapor Recovery Procedures*** as last amended on May 25, 2006, incorporated by reference in title 17, California Code of Regulations, section 94010;

WHEREAS, *Gasoline Dispensing Facilities at Bulk Plants* are subject to the performance standards specified in CP-201, which includes the EVR Phase II standards and In-Station Diagnostics, for the portion of the facilities that fuels motor vehicle fuel tanks;

WHEREAS, section 2.4.4 of CP-201 allows the Executive Officer to change the operative and effective dates of new performance standards and specifications when EVR Phase II systems meeting the applicable standards and specifications are not certified by the operative dates specified in Table 2-1 of CP-201;

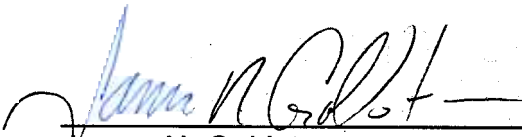
WHEREAS, a vapor recovery system that meets the EVR Phase II standards and specifications, including In-Station Diagnostics, was not certified for use on

Gasoline Dispensing Facilities at Bulk Plants by the operative date in Table 2-1 of CP-201 and;

WHEREAS, a vapor recovery system that meets the EVR Phase II standards and specifications, including In-Station Diagnostics, is anticipated to be certified for use on *Gasoline Dispensing Facilities at Bulk Plants* by April 1, 2010.

NOW, THEREFORE, IT IS ORDERED that *Gasoline Dispensing Facilities at Bulk Plants* may continue to operate or be installed with vapor recovery systems that have been certified by ARB prior to the operative dates specified in CP-201 Table 2-1 until April 1, 2011.

Executed at Sacramento, California, this 13 day of June 2008.



James N. Goldstene
Executive Officer